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09/727,191	11/30/2000	Shawn Bracewell	MS150809.1	5607

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EXAMINER

JACOBS, LASHONDA T

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 02/12/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/727,191

Applicant(s)

BRACEWELL ET AL.

Examiner

LaShonda T. Jacobs

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4-6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 8 is objected to because of the following informalities: trademarks are not allowed in the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 6 recites the limitation "the stateless protocol" in line 16. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-12, 16, 21-22, 26-38 and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Berstis et al (hereinafter, "Berstis", 6,510,458).

As per claims 1, 35 and 36, Berstis discloses a system to facilitate a remote user accessing an application across a stateless protocol comprising:

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- a component for caching data associated with the remote user access, the data comprising state and/or user specific information (col. 5, lines 6-17, col. 6, lines 36-59, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claims **22** and **38**, Berstis discloses a method for facilitating remote access to an application, the access occurring across a stateless protocol, comprising:

- allocating memory to cache state and/or user specific information associated with the remote access (col. 5, lines 6-17, col. 6, lines 36-59, col. 16, lines 58-67 and col. 17, lines 1-24);
- caching the state information associated with the remote access of the application in the allocated memory (col. 5, lines 6-17, col. 6, lines 36-59, col. 16, lines 58-67 and col. 17, lines 1-24); and
- caching the user specific information associated with the remote access of the application in the allocated memory (col. 5, lines 6-17, col. 6, lines 36-59, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claims **2** and **37**, Berstis discloses:

- component for managing memory storing the state and/or user specific information (col. 5, lines 6-17, col. 6, lines 36-59, col. 16, lines 58-67, col. 17, lines 1-24 and lines 36-45).

As per claim **3**, Berstis discloses the user specific information comprising at least one of:

- a record of views accessible to the remote user, a record of views recently displayed to the remote user, a record of folders recently accessed by the remote user, a record of URLs for folders commonly accessed by the remote user, a record of messages and/or

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folders moved and/or copied by the remote user and email addresses for the remote user (col. 5, lines 6-17, col. 6, lines 36-59, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claims 4 and 28, Berstis discloses the state information comprising at least one of:

- a record of one or more entities involved in a process requiring multiple requests from the remote user via the stateless protocol (col. 5, lines 6-17, col. 6, lines 36-59, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claims 5 and 29, Berstis discloses the entities comprising at least one of

- memory locations, folders, directories, messages, objects, processes, threads, records, files and data (col. 5, lines 6-17, col. 6, lines 36-59, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claims 6 and 30, Berstis discloses:

- wherein the stateless protocol is HTTP (col. 6, lines 36-48 and col. 7, lines 10-39).

As per claims 7 and 31, Berstis discloses the application comprising at least one of:

- email, chat sessions, database programs, video games., web-enabled applications and search engines (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-45, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claim 8, Berstis discloses:

- wherein the application is Microsoft Exchange (col. 18, lines 25-29).

As per claim 9, Berstis discloses:

- wherein the user specific information and the state information are stored in a user context object (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-67, col. 16, lines 58-67 and col. 17, lines 1-24).

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As per claim **10**, Berstis discloses:

- wherein the user context object is assigned a globally unique identifier (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-67, col. 10, lines 34-39, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claim **11**, Berstis discloses:

- wherein the memory managing component manages one or more users context objects (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-67, col. 10, lines 34-39, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claim **12**, Berstis discloses:

- wherein the memory managing component can locate a user context via an addressing algorithm, the algorithm employing the globally unique identifier, a locale identifier, a mailbox identifier and a security identifier (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-67, col. 10, lines 34-39, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claim **16**, Berstis further discloses

- a monitoring component, operable to feedback information concerning usage of one or more user context objects (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-67, col. 10, lines 34-39, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claim **32**, Berstis further discloses:

- receiving feedback information concerning usage of one or more user context objects (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-67, col. 10, lines 34-39, col. 16, lines 58-67 and col. 17, lines 1-24); and

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- allocating, more resources to a user context object, based at least in part, on the feedback information (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-67, col. 10, lines 34-39, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claims **21** and **34**, Berstis discloses:

- wherein the resources are shifted between one or more user context objects based, at least in part on feedback information (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-67, col. 10, lines 34-39, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claim **26**, Berstis further discloses:

- assigning a globally unique identifier to the memory allocated to cache the state and/or user specific information (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-67, col. 10, lines 34-39, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claim **27**, Berstis further discloses:

- locating the state and/or user specific information via an algorithm, the algorithm employing the globally unique identifier, a locale identifier, a mailbox identifier and a security identifier (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-67, col. 10, lines 34-39, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claim **33**, Berstis further discloses:

- de-allocating resources from a user context object, based at least in part, on the feedback information (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-67, col. 10, lines 34-39, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claim **40**, Berstis further discloses:

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- computer executable instructions operable to dynamically reallocate resources to and/or from one or more user context objects based, at least in part, on feedback information received from one or more monitoring components (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-67, col. 10, lines 34-39, col. 16, lines 58-67 and col. 17, lines 1-24).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims **13-15, 17-20, 23-25, 39** and **41** are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis in view of Himmel et al (hereinafter, "Himmel", 6,453,342).

As per claim **13**, Berstis discloses the invention substantially as claimed.

However, Berstis does not explicitly disclose:

- wherein the memory managing component reclaims resources allocated to a user context object upon a determination that the user context object has not been accessed within a pre-determined threshold period of time, the resources including at least one of memory, data communications devices, processor and network bandwidth.

Himmel discloses a method and apparatus in a data processing system for selectively caching web information in a cache for a browser including:

- wherein the memory managing component reclaims resources allocated to a user context object upon a determination that the user context object has not been accessed within a pre-determined threshold period of time, the resources including at least one of memory, data communications devices, processor and network bandwidth (col. 5, lines 48-65, col. 6, lines 12-29, lines 55-67 and col. 7, lines 1-22).

Given the teaching of Himmel, it would have been obvious to one of ordinary skill in the art to modify Berstis by including a timer that will clear the cache within a specified time period in order to keep the cache clean after a browser session ends.

As per claim 15, Berstis discloses the invention substantially as claimed.

However Berstis does not explicitly disclose:

- wherein the pre-determined threshold period of time can be dynamically changed based, at least in part, on feedback concerning the usage of one or more user context objects.

Himmel discloses a method and apparatus in a data processing system for selectively caching web information in a cache for a browser including:

- wherein the pre-determined threshold period of time can be dynamically changed based, at least in part, on feedback concerning the usage of one or more user context objects (col. 5, lines 48-65, col. 6, lines 12-29, lines 55-67 and col. 7, lines 1-22).

Given the teaching of Himmel, it would have been obvious to one of ordinary skill in the art to modify Berstis by including a timer that will clear the cache within a specified time period in order to keep the cache clean after a browser session ends.

As per claim 17, Berstis discloses the invention substantially as claimed.

However, Berstis does not explicitly disclose:

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- wherein more resources are allocated to a user context object when the feedback information indicates that the user context object has been utilized more than a first pre-determined threshold level.

Himmel discloses a method and apparatus in a data processing system for selectively caching web information in a cache for a browser including:

- wherein more resources are allocated to a user context object when the feedback information indicates that the user context object has been utilized more than a first pre-determined threshold level (col. 5, lines 48-65, col. 6, lines 12-29, lines 55-67 and col. 7, lines 1-22).

Given the teaching of Himmel, it would have been obvious to one of ordinary skill in the art to modify Berstis by including a timer that will clear the cache within a specified time period in order to keep the cache clean after a browser session ends.

As per claims 18 and 20, Berstis discloses the resources comprising at least of:

- memory, processor time, communication devices and network bandwidth (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-67, col. 10, lines 34-39, col. 16, lines 58-67 and col. 17, lines 1-24).

As per claim 19, Berstis discloses the invention substantially as claimed.

However, Berstis does not explicitly disclose:

- wherein the resources are reclaimed from a user context objects when the feedback information indicates that the user context object has been utilized less than a second pre-determined threshold level.

Himmel discloses a method and apparatus in a data processing system for selectively caching web information in a cache for a browser including:

- wherein the resources are reclaimed from a user context objects when the feedback information indicates that the user context object has been utilized less than a second pre-determined threshold level (col. 5, lines 48-65, col. 6, lines 12-29, lines 55-67 and col. 7, lines 1-22).

Given the teaching of Himmel, it would have been obvious to one of ordinary skill in the art to modify Berstis by including a timer that will clear the cache within a specified time period in order to keep the cache clean after a browser session ends.

As per claims 23 and 39, Berstis discloses the invention substantially as claimed.

However, Berstis does not explicitly disclose:

- selectively reclaiming the memory allocated to cache the state and/or user specific information associated with the remote access, the reclaiming occurring upon the allocated memory not being accessed within a pre-determined period of time.

Himmel discloses a method and apparatus in a data processing system for selectively caching web information in a cache for a browser including:

- selectively reclaiming the memory allocated to cache the state and/or user specific information associated with the remote access, the reclaiming occurring upon the allocated memory not being accessed within a pre-determined period of time (col. 5, lines 48-65, col. 6, lines 12-29, lines 55-67 and col. 7, lines 1-22).

Given the teaching of Himmel, it would have been obvious to one of ordinary skill in the art to modify Berstis by including a timer that will clear the cache within a specified time period in order to keep the cache clean after a browser session ends.

As per claims **14** and **24**, Berstis discloses the invention substantially as claimed.

However, Berstis does not explicitly disclose:

- wherein the pre-determined threshold period of time is one hour.

Himmel discloses a method and apparatus in a data processing system for selectively caching web information in a cache for a browser including:

- wherein the pre-determined threshold period of time is one hour (col. 5, lines 48-65, col. 6, lines 12-29, lines 55-67 and col. 7, lines 1-22).

Given the teaching of Himmel, it would have been obvious to one of ordinary skill in the art to modify Berstis by including a timer that will clear the cache within a specified time period in order to keep the cache clean after a browser session ends.

As per claim **25**, Berstis discloses the invention substantially as claimed.

However, Berstis does not explicitly disclose:

- the pre-determined period of time being dynamically adjustable based, at least in part on feedback concerning the usage of the allocated memory associated with the remote access.

Himmel discloses a method and apparatus in a data processing system for selectively caching web information in a cache for a browser including:

- the pre-determined period of time being dynamically adjustable based, at least in part on feedback concerning the usage of the allocated memory associated with the remote access (col. 5, lines 48-65, col. 6, lines 12-29, lines 55-67 and col. 7, lines 1-22).

Given the teaching of Himmel, it would have been obvious to one of ordinary skill in the art to modify Berstis by including a timer that will clear the cache within a specified time period in order to keep the cache clean after a browser session ends.

As per claim 41, Berstis discloses a system for managing information in an application accessed via a stateless protocol comprising:

- means for allocating memory to store state and/or user specific information associated with a remote user access of an application, the application being accessed via a stateless protocol (col. 5, lines 6-17, col. 6, lines 36-59, col. 16, lines 58-67 and col. 17, lines 1-24);
- means for caching, in the allocated memory state information associated with the remote access of the application (col. 5, lines 6-17, col. 6, lines 36-59, col. 16, lines 58-67 and col. 17, lines 1-24);
- means for caching, in the allocated memory, user specific information associated with a remote accessor of the application (col. 5, lines 6-17, col. 6, lines 36-59, col. 16, lines 58-67 and col. 17, lines 1-24); and
- means for locating the state and/or user specific information cached in the allocated memory (col. 5, lines 6-17, col. 6, lines 36-59, col. 8, lines 35-67, col. 10, lines 34-39, col. 16, lines 58-67 and col. 17, lines 1-24).

However, Berstis does not explicitly disclose:

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- means for reclaiming the allocated memory, when the memory has not been accessed within a pre-determined period of time.

Himmel discloses a method and apparatus in a data processing system for selectively caching web information in a cache for a browser including:

- means for reclaiming the allocated memory, when the memory has not been accessed within a pre-determined period of time (col. 5, lines 48-65, col. 6, lines 12-29, lines 55-67 and col. 7, lines 1-22).

Given the teaching of Himmel, it would have been obvious to one of ordinary skill in the art to modify Berstis by including a timer that will clear the cache within a specified time period in order to keep the cache clean after a browser session ends.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,647,421 to Logue et al

U.S. Pat. No. 6,310,630 to Kulkarni et al

U.S. Pat. No. 6,076,108 to Courts et al

U.S. Pat. No. 5,787,470 to DeSimone et al

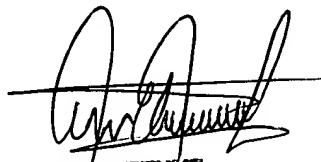
Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 703-305-7494. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T. Jacobs
Examiner
Art Unit 2157

ltj
February 6, 2004



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